

(iii) any credits carried over from a previous five-year period, as authorized by Subsection (g); and

(B) hotel revenue directly attributable to events held at the authorized facility in the past five years; and

(2) if the amount calculated under Subdivision (1)(A) exceeds the amount calculated under Subdivision (1)(B), reimburse the municipality's hotel occupancy tax revenue fund from the municipality's general fund in the amount of the difference.

(g) If, for a given five-year period, the amount calculated under Subsection (f)(1)(B) exceeds the amount calculated under Subsection (f)(1)(A), the municipality may carry forward the difference to be used as a credit in a subsequent five-year period.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on May 15, 2015: Yeas 118, Nays 21, 2 present, not voting; the House refused to concur in Senate amendments to H.B. No. 1585 on May 28, 2015, and requested the appointment of a conference committee to consider the differences between the two houses; the House adopted the conference committee report on H.B. No. 1585 on May 31, 2015: Yeas 99, Nays 44, 2 present, not voting; passed by the Senate, with amendments, on May 26, 2015: Yeas 29, Nays 2; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; the Senate adopted the conference committee report on H.B. No. 1585 on May 30, 2015: Yeas 28, Nays 3.

Filed without signature June 19, 2015.

Effective June 19, 2015.

ALLOCATION OF STATE HOTEL OCCUPANCY TAX REVENUE TO CERTAIN BARRIER ISLAND COASTAL MUNICIPALITIES

CHAPTER 971

H.B. No. 1915

AN ACT

relating to the allocation of state hotel occupancy tax revenue to certain barrier island coastal municipalities.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 156.2512, Tax Code, is amended by amending Subsections (a), (b), and (c) and adding Subsection (e) to read as follows:

(a) Not later than the last day of the month following a calendar quarter and subject to Subsection (d), the comptroller shall:

(1) compute the amount of revenue, *excluding revenue described by Subsection (e)*, derived from the collection of taxes imposed under this chapter at a rate of *two [one]* percent and received from hotels located ~~[on barrier islands]~~ in an eligible barrier island coastal municipality; ~~[described by Subsection (c)(1)(C)(i) or (ii)]~~ and

(2) issue to the municipality a warrant drawn on the general revenue fund for that amount; ~~and~~

~~[(2) compute the amount of revenue derived from the collection of taxes imposed under this chapter at a rate of two percent and received from hotels located on barrier islands in an eligible barrier island coastal municipality described by Subsection (c)(1)(C)(iii) and issue to the municipality a warrant drawn on the general revenue fund for that amount].~~

(b) An eligible barrier island coastal municipality may use money received under this section only:

- (1) to clean and maintain public beaches in that municipality; ~~and~~
- (2) for an erosion response project in that municipality; *and*
- (3) *to clean and maintain bay shores owned by that municipality or leased by that municipality from this state.*

(c) In this section:

(1) “Eligible barrier island coastal municipality” means a municipality:

(A) that borders on the Gulf of Mexico;

(B) that is located wholly or partly on a barrier island; and

(C) *that* ~~the boundaries of which~~:

(i) *includes an institution of higher education that is part of the Texas Coastal Ocean Observation Network under Section 33.065, Natural Resources Code* ~~include a portion of a national seashore~~;

(ii) *includes* ~~include~~ a national estuarine research reserve; ~~or~~

(iii) *is located* ~~are~~ within 30 miles of the United Mexican States; or

(iv) *has a population of less than 10,000 and is located in a county with a population of at least 300,000 that is adjacent to a county with a population of at least 3,000,000.*

(2) “Clean and maintain” has the meaning assigned by Section 61.063, Natural Resources Code.

(3) “Erosion response project” has the meaning assigned by Section 33.601, Natural Resources Code.

(e) *This section does not apply to revenue derived from the collection of taxes paid by persons for the use or possession of or for the right to the use or possession of a room or space at a qualified hotel project, the owner of which is entitled to a rebate, refund, or payment of hotel occupancy tax revenue under:*

(1) *Section 2303.5055, Government Code; or*

(2) *Section 151.429(h).*

SECTION 2. This Act takes effect October 1, 2015.

Passed by the House on May 4, 2015: Yeas 130, Nays 9, 2 present, not voting; the House refused to concur in Senate amendments to H.B. No. 1915 on May 27, 2015, and requested the appointment of a conference committee to consider the differences between the two houses; the House adopted the conference committee report on H.B. No. 1915 on May 31, 2015: Yeas 126, Nays 15, 2 present, not voting; passed by the Senate, with amendments, on May 22, 2015: Yeas 26, Nays 5; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; the Senate adopted the conference committee report on H.B. No. 1915 on May 30, 2015: Yeas 26, Nays 5.

Filed without signature June 19, 2015.

Effective October 1, 2015.